

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NORTH CAROLINA  
CHARLOTTE DIVISION

UNITED STATES OF AMERICA,	)	Docket No. 3:07CR95
	)	
Plaintiff,	)	
	)	
v.	)	<b>ORDER</b>
	)	
KHIENG KENG CHEA,	)	
	)	
Defendant.	)	
_____	)	

**THIS MATTER IS BEFORE THE COURT** on the Defendant's Application to File His Motion to Amend Detention Order Under Seal (Document #10) and Defendant's Motion to Amend Detention Order (Document #11), both filed by the Defendant, Khieng Keng Chea, on June 28, 2007. To aid in expediting a decision on these matters, the undersigned convened a telephonic conference with counsel for the Defendant and counsel for the government on July 5, 2007. After carefully considering this matter, the Court will **DENY** the application to file under seal and **GRANT** the motion to amend detention order.

This matter may be fairly summarized as follows. Counsel for the Defendant seeks to amend the detention order to add a recommendation that the Defendant participate in the drug treatment program at the Gaston County Jail. The desire of the Defendant to participate in the drug treatment program is commendable, and in addition, counsel for the government does not oppose this amendment to the original detention order. Counsel for Defendant also seeks, however, to seal the motion to amend detention order for privacy reasons, i.e., that the Defendant's need for drug treatment should not be disclosed to the public. While the Court appreciates counsel's desire to

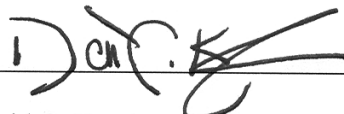
protect her client's privacy, this desire does not overcome the strong presumption of public access to court records historically honored within the Fourth Circuit.

**IT IS THEREFORE ORDERED** that the Defendant's Application to File His Motion to Amend Detention Order Under Seal is hereby **DENIED**.

**IT IS FURTHER ORDERED** that the Defendant's Motion to Amend Detention Order is hereby **GRANTED**.

**IT IS FURTHER ORDERED** that the Defendant's original detention order filed May 9, 2007 is hereby AMENDED to add the court's recommendation that the Defendant participate in the drug treatment program at the Gaston County Jail.

Signed: July 5, 2007

  
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David C. Keesler  
United States Magistrate Judge

